

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARIA TERESA HILSABECK,

Case No. 2:24-cv-01863-RFB-DJA

Plaintiff

ORDER

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendants

Plaintiff Maria Teresa Hilsabeck is the mother and special administrator of the estate of Victor Antonio Lopez Lopez, who died on October 5, 2024. (ECF No. 1 at 2, 4). Plaintiff, counseled, brings this civil-rights action under 42 U.S.C. § 1983 based on events that happened to her son while he was incarcerated at the Clark County Detention Center. (*See generally* ECF No. 1). Plaintiff herself is not incarcerated and has paid the \$405 filing fee for a civil action. (*See id.*) Thus, this Court is not required to screen this case. *See generally* 28 U.S.C. § 1915A (the plaintiff is not a prisoner within the meaning of the statute); *see Olivas v. Nevada ex rel. Dep't of Corr.*, 856 F.3d 1281, 1282 (9th Cir. 2017) (holding that “28 U.S.C. § 1915A applies only to claims brought by individuals incarcerated at the time they file their complaints”); *see Lopez v. Smith*, 203 F.3d 1122, 1126, 1129 (9th Cir. 2000) (recognizing that screening under 28 U.S.C. § 1915(e) applies to actions filed *in forma pauperis* whether or not the plaintiff is incarcerated). This case will now proceed onto the normal litigation track.

For the foregoing reasons, it is ordered that this case will proceed onto the normal litigation track and Plaintiff must perfect service within 90 days from the date of this order pursuant to Fed. R. Civ. P. 4(m).

DATED: November 7, 2024.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE